



MHG-05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Greenwood et al.)
Serial No.: 09/834,101) Group Art Unit: 1744
Filed: April 12, 2001) Examiner: Chin, Randall E.
For: Detachably Interconnected)
Handle and Paint Brush)

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PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(d)

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants (including the assignee) respectfully Petition to have the above-identified application made special under 37 CFR §1.102(d) and MPEP §708.02.

Co-inventor Mark Greenwood, having made a contractual arrangement with the assignee, Sapphire Designs, has established a new company, Maverick Products. Working through this company, he has had paint brush products including handles and associatable brush cartridges manufactured and packaged, and he has begun marketing of these products. He has thus already made a substantial capital investment in technology involved in and related to the present invention.

A Declaration by Greenwood, describing these efforts and supporting the present Petition accompanies this Petition together with a check in the amount of \$130.00 as specified under 37 CFR 1.17(h).

As stated in this Declaration, Greenwood will not expand these manufacturing and marketing efforts, and risk more of his own or others capital, unless and until adequate patent protection covering this technology is granted. Because of the costs and the risks involved, Greenwood, as stated in this Declaration, urgently needs resolution by the U.S. Patent and Trademark Office (USPTO) of the patentability of subject matter disclosed and claimed in the present application.

Prior to the filing of the present application, a prior art search was made. The searcher reported that the following classes/subclasses of the U.S. Patent Office had been searched: 15/105, 106, 145, 171, 175, 176.1, 176.4, 176.5, 176.6 and 178 (U.S. and foreign); and D8/34 (U.S. only). An Information Disclosure Statement (IDS) was submitted in this application on February 27, 2003. This IDS cited all of the recovered prior art and included copies of the documents. For record purposes, it is noted that no acknowledgment of this IDS or that prior art appears in the outstanding Office Action. A copy of that IDS (without copies of the cited documents) accompanies the present Petition along with a copy of the postcard filing receipt and is identified as Exhibit A. Additional copies of the documents cited in this IDS will be submitted upon request.

It is noted for record purposes that this Petition to Make Special Under 37 CFR §1.102(d) is being filed concurrently with a Petition to the Director Under 37 CFR §1.181 Requesting Withdrawal of, or Relief From, Examiner's Species Election Requirement. In the latter Petition, applicants in an *bona fide* effort to be constructive voluntarily suggest a restriction of the invention presented in the present application into four Groups designated in that Petition as

Group I through Group IV. In compliance with MPEP §708.02 at page 700-123, if the USPTO considers that more than one invention is presented in the present application, then applicants now make an election without traverse of Group I as identified in such Petition as a prerequisite to the grant of special status as requested in the present Petition.

Accordingly, in view of the above information and remarks, and the accompanying Greenwood Declaration, the prompt granting of this Petition to Make Special is respectfully requested.

Please charge any underpayment or credit any overpayment to Deposit Account No. 15-0508.

Respectfully submitted,


Date: October 15, 2003

By 
Michael A. Hierl, Reg. No. 29,807

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CERTIFICATE OF MAILING

I hereby certify that this paper and any attachments are being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 15, 2003.


Michael A. Hierl